

### Remarks/Arguments

The rejection under 35 U.S.C. ¶112, first paragraph, has been rendered moot by the amendments herein, i.e., by cancellation of the phrase "in the absence of fluorine."

Claims 12-17 stand rejected as being unpatentable over Watatani in view of Huffman et al. or Xu et al.

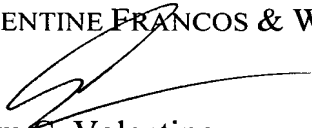
By this Amendment, independent claims 12 and 14 have been revised to clarify that the ashing process of the claimed invention is carried out using a mixed gas consisting of nitrogen, oxygen and hydrogen. Please see the description of the third embodiment appearing in the present specification.

Each of Huffman et al. and Xu et al. include fluorine as a principle component of the ashing gases described therein. As such, even if Huffman et al. and/or Xu et al. is combined with Watatani in the fashion suggested by the Examiner, the resultant combination(s) would still be distinct from the presently claimed invention.

No other issues remaining, reconsideration and favorable action upon the claims 12-17 now pending in the application are requested.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, PLLC



Adam C. Valentine  
Reg. No. 33,289

February 22, 2007

**Customer No. 20987**  
Volentine & Whitt, PLLC  
11951 Freedom Drive, Suite 1260  
Reston VA 20190  
Tel. 571.283.0720  
Fax 571.238.0740